

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

WORKSHOP SUMMARY

Meeting Date: July 23, 2019

Department: Legislative Affairs

I. EXECUTIVE BRIEF

Title: Presentation of the 2019 Legislative Session final report.

Summary: A presentation of the final legislative report reviewing Palm Beach County's 2019 State Legislative Agenda priorities and appropriations with the Board of County Commissioners. Countywide (AH)

Background and Policy Issues: On January 29, 2019 the Board of County Commissioners gave final approval for the 2019 State Legislative Agenda. This is a presentation of prioritized policy and appropriation items that were heard during the legislative session, as well as other legislative items of interest. Topics covered will include, but are not limited to:

- Palm Beach County Appropriations
- Policy/Appropriations supporting Affordable Housing
- Policy/Appropriations supporting solutions to the Opioid Epidemic
- Policy/Appropriations supporting Emergency Management
- Policy/Appropriations supporting Transportation and Economic Development

Attachments:

1. Final 2019 State Legislative Report

Recommended by:



Department Director

7/18/19
Date

Approved By:



Assistant County Administration

7/18/19
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years					
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT					
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget?

Yes

No

Does this item include the use of federal funds?

Yes

No

Budget Account No:

FundAgencyOrganizationObject

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

OFMB

7/12/19BR 7/11

Contract Dev. & Control

7/15/197/15/19

B. Legal Sufficiency

Assistant County Attorney

7/18/19

C. Other Department Review

Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

PALM BEACH COUNTY 2019 LEGISLATIVE SESSION FINAL REPORT



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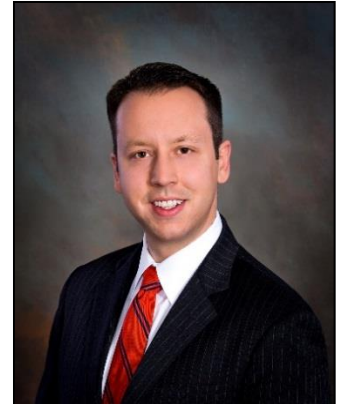
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Board of County Commissioners Top Four Priorities Summary

On January 29, 2019, the Palm Beach County Board of County Commissioners approved their top four priority areas for the 2019 Legislative Session:

Affordable Housing / Homelessness

Legislation supported by Palm Beach County and others that would have helped protect affordable housing trust fund dollars from being diverted to other areas of the budget died in their respective subcommittees of reference despite the overwhelming support by housing stakeholders and some legislators. HB 353/SB 1504 by Representative Polsky and Senator Berman would have required that any sweep of the Affordable Housing Trust Funds be repaid in 5 years and that a report be created to indicate what the swept funds were used for.

In addition, HB 1353/SB 1218 - Homelessness by Representative Altman and Senator Book would have adopted the Federal definition of homelessness, reduced required matching funds for Challenge Grants from 100% to 25%, increased allowable Continuum of Care lead agency's administrative cost to 10% and prioritized COC agencies that have proven success in moving families out of homelessness.

Hurricane Michael relief factored prominently in dollars available for affordable housing in the 2019 budget with a significant portion of that coming from designated affordable housing funds. This is the 12th consecutive year that the William E. Sadowski Trust Funds has been swept to fill gaps in the budget. This year, over \$125 million was diverted from the trust funds.

The following statewide and local amounts were appropriated to Affordable Housing:

- Affordable Housing Programs - \$200.6 million
 - State Housing Initiatives Partnership (SHIP) - \$46.6 million
 - Florida Veterans – Housing Grant Funding - \$1 million
 - State Apartment Incentive Loan (SAIL) Programs - \$31 million
 - Hurricane Michael Housing Relief - \$115 million, includes:
 - \$65 million for the Hurricane Housing Recovery Program
 - \$50 million for the Rental Recovery Loan Program
- Housing and Community Development Projects - \$20.7 million
- Belle Glade Community Center - \$3.2 Million

Opioid / Substance Abuse

State Opioid Funding – \$83.3 million

SOBER HOMES AND SUBSTANCE ABUSE TREATMENT (HB 369)

The Legislature unanimously passed legislation recommended by the Sober Home Task Force HB 369 continues to tighten up sober home standards and address unintended consequences of previously passed legislation. The bill exempts “Oxford Homes” from certification requirements, strengthens patient brokering and deceptive practices statutes, provides for certification and background checks of peer specialists, expands background check requirements for recovery residence administrative personnel and expands violations eligible for exemption, and covers residences that have day/night treatment centers. The final product did not contain language directing the Sober Home Task Force to

provide recommendations to the Legislature by the end of 2020 on how to address mandatory certification for recovery residences. The final product also did not contain fire safety standards language.

The bill was approved by the Governor on June 27, 2019; Chapter No. 2019-159

NEEDLE EXCHANGE (SB 366)

The House voted 111-3 and the Senate unanimously voted to pass a bill that would authorize a county commission to establish a sterile syringe and needle exchange program within their county. The bill provides oversight, onsite substance abuse counseling and HIV education, security and reporting requirements. The bill prohibits any state, county or municipal funding and only allow for grants and private donations.

The bill was approved by the Governor on June 26, 2019; Chapter No. 2019-143

OPIOID LAWSUIT (HB 1253)

The Legislature voted unanimously to authorize the Attorney General to have indirect access to the Prescription Drug Monitoring Program for use in pending controlled substances criminal and civil litigation. The AGs office filed a lawsuit in May that alleges opioid manufacturers, distributors, and sellers (including Purdue Pharma, CVS and Walgreens) pushed sales of opioids despite knowledge of the dangers and of increasing demand that clearly showed addiction and abuse. The lawsuits alleges they engaged in a deceptive marketing campaign, which included funding supposedly neutral physicians and organizations, and continuously allowed diversion of their products and filled suspicious prescriptions despite alarmingly high numbers. Without the legislation, the Attorney General believes it could take years and millions of dollars to build a case.

This bill was approved by the Governor on June 25, 2019; Chapter 2019-127

ALCOHOL & DRUG RELATED OVERDOSES (HB 595)

The Senate and House unanimously passed a bill to expand the Good Samaritan Act to give immunity from arrest, charge, prosecution, or penalties for a persons who, in good faith, seek help for themselves or other individuals believed to be in need of medical attention while experiencing an alcohol or drug related overdose.

This bill was approved by the Governor on June 7, 2019; Chapter 2019-81

Hurricane Preparedness and Relief

Going into the 2019 session, it was evident that Hurricane Relief issues would be a high priority of the legislature. The legislature focused almost exclusively on actions related to the Hurricane Michael stricken panhandle. The legislature invested \$1.85 billion in funding for hurricane recovery efforts.

One of the largest portions of the hurricane-related spending for the coming year will be \$115 million in affordable housing trust fund money to help in their rebuilding efforts through the housing recovery program and rental recovery loan program. Another \$35 million will go to county and municipal roads

through the budget and transportation bill. A separate \$14.2 million will help school districts cover declining enrollments that stem from families and students displaced by the hurricane.

\$1.3 million was provided in sales, fuel and property tax relief to support building material purchases, agricultural shipments, debris clean up, and tangible property tax payments.

Transportation and Infrastructure

Palm Beach County received significant funding of well over a quarter billion dollars as part of the State's road, rail, transit and port programs (see pages 16-18 for detailed breakdown). In addition, the County worked to secure \$9 million in SCOP funding to benefit road infrastructure in the Glades region of the county, as well as, in other rural areas of opportunity.

Statewide Budget Issues

2019 GENERAL APPROPRIATIONS ACT

SB 2500 by Appropriations Committee and Senator Rob Bradley (R-Orange Park)

The Legislature agreed upon a \$91.1 billion budget with \$1.85 billion in funding for Hurricane Michael recovery efforts and \$3.4 billion in reserves. Compared to the FY 2018-19 Budget, this represents a \$1.8 billion (2.5%) increase.

SB 2500 provides:

General Revenue(GR): \$34.0 billion

Trust Funds(TF): \$57.1 billion

The total veto amount was \$131 million.

HEALTH AND HUMAN SERVICES

Health and Human Services received \$37.7 billion. This is the largest portion of funding in the budget.

Total Budget: \$37.7 billion [\$10.2 billion GR; \$2.75 billion TF]

Agency for Health Care Administration

Total: \$29,418 million [\$7,072.8 million GR; \$22,345.2 million TF]

- Medicaid Price Level and Workload – \$94.4 million
- KidCare Workload – \$91.4 million
- KidCare Combined Risk Pool Implementation – \$6.9 million
- Nursing Home Rate Enhancement – \$15.5 million

Agency for Persons with Disabilities

Total: \$1,415.9 million [\$584.3 million GR; \$831.6 million TF]

- Resources for Persons with Unique Abilities – \$48.7 million
- Increase Residential Habilitation Provider Rates – \$28.7 million
- Fixed Capital for Developmental Disability Facilities – \$1.2 million
- Palm Beach Habilitation Center – \$225,000

Department of Children and Families,

Total: \$3,298.3 million [\$1,854.4 million GR; \$1,443.9 million TF]; 12,050.75 positions

- Community-Based Care Lead Agency (CBC) Funding: \$24.0 million GR, \$24.0 million TF
- Guardianship Assistance Program – \$12.7 million [\$4.0 million GR; \$8.7 million TF]; 12 positions
- Safety Management Services Restoration – \$8.1 million
- Community Based Care Core Services –\$8.1 million
- Child Abuse Prevention and Treatment Grant Increase – \$4.1 million
- Risk Pool Funding – \$8.1 million
- Maintenance Adoption Subsidies – \$30.7 million
- State Opioid Funding – \$83.3 million
- Mental Health/Substance Abuse Funding Increase – \$6.7 million
- Homeless Prevention Challenge Grants Restoration – \$3.2 million

CRIMINAL JUSTICE AND CORRECTIONS

Criminal and Civil Justice Appropriations totaled \$5.435 billion, an increase over FY 2018-19.

The Department of Corrections will receive \$2.7 billion to include \$147.5 million for Inmate Health Services and \$2.8 million for additional teachers for institutions with \$1.5 coming from American's with Disabilities Act.



The Department of Juvenile Justice will receive \$594 million, which will include \$4.3 million for additional Evidence Based Residential services and \$3.2 million for the youth on supervised community release program. It also includes \$10.9 million for the continuation and expansion of prevention and early intervention programs.

Residential mental health treatment services and Hepatitis C treatments within the Department of Corrections will receive \$147.5 million.

TRANSPORTATION, TOURISM AND ECONOMIC DEVELOPMENT

Transportation and Economic Development Appropriations totaled \$15.2 billion.

The Department of Economic Opportunity will receive \$1.7 billion, which is \$300 million more than last year's budget.

Department of Transportation - \$10.8 billion

- Transportation Work program - \$9.8 billion
 - Rail Development Grants - \$222.9 million
 - County Transportation Programs
 - Small County Road Resurface Assistance Program (SCRAP) - \$29.3 million
 - Small County Outreach Program (SCOP) - \$71.3 million, which includes \$9 million to rural areas of opportunity. This is a \$1.5 million statewide

decrease, with a \$6 million dollar decrease for rural areas of opportunity.

- Transportation Disadvantaged Program - \$55.9 million

Department of Economic Opportunity - \$1.7 billion, an increase of \$300 million.

- Affordable Housing Programs \$200.6 million
 - State Housing Programs \$69.2 million
 - \$31 million for the SAIL Program
 - \$15 million for workforce housing to serve low-income persons
 - SHIP –\$46.6 million
 - Palm Beach County \$1,430,741
 - Boca Raton \$122,468
 - Boynton Beach \$98,961
 - Delray Beach \$87,747
 - West Palm Beach \$147,377
 - Homeless Challenge Grants - \$ 3.2 million
 - Housing and Community Development Projects - \$20.7 million
 - Florida Veterans – Housing Grant Funding - \$1 million
- Weatherization Grant Program - \$2 million
- Farm Share and Food Banks - \$4.9 million
- Quick Response Training - \$9 million
- Enterprise Florida - \$16 million
- Visit Florida - \$50 million
- State Aid to Libraries - \$21.8 million
- Florida Job Growth Grant Fund - \$40 million

Division of Emergency Management - \$2.06 billion

- Federally Declared Disaster Funding - \$1.94 billion
- State Operations - \$92.4 million TF
- State Emergency Operations Center Design - \$1 million
- Rural Emergency Operation Centers Design - \$1.8 million
- Emergency Operations Centers and Generators - \$10 million
- Disaster Recovery and Preparedness Projects - \$1.2 million
- Statewide Regional Evacuation Study - \$1.2 million
- Hurricane Michael Recovery Grant Program - \$25 million
- Hurricane Michael Recovery Projects - \$4.4 million

AGRICULTURE AND NATURAL RESOURCES

Funding for Agriculture and Natural Resources totaled \$6.1 billion, a \$2 billion increase over FY 18-19.

The agreement appropriates \$367.2 million towards Everglades Restoration and another \$50 million will go to the northern Everglades restoration.

Highlights include:

- Blue-Green Algae Task Force - \$10.8 million
- Innovative Technology Grants for Harmful Algal Blooms - \$10 million
- Florida Forever - \$33 million
- Beach Management Funding Assistance - \$50.0 million [\$9.8 million GR; \$40.2 million LATF]
 - Palm Beach County Projects Funded:
 - Delray Beach Segment - Palm Beach County Shore Protection Project - \$27,293
 - Ocean Ridge Segment - Palm Beach County Shore Protection Project - \$25,650
- Drinking Water Revolving Loan Programs - \$125.5 million
- Petroleum Tanks Cleanup - \$110 million



Department of Agriculture and Consumer Services - \$1.7 billion

- Wildfire Suppression Equipment/Aircraft - \$11.6 million
- Water Supply Planning - \$1.5 million
- African Snail Eradication Program - \$1.3 million
- Citrus Crop Decline Supplemental Funding - \$2.4 million
- Citrus Health Response Program - \$6.4 million
- Citrus Greening Research - \$8 million
- Lake Okeechobee Agriculture Projects - \$4 million
- Farm Share and Food Banks - \$5.8 million
- Agriculture Education and Promotion Facilities - \$5 million
- Florida Agriculture Promotion Campaign - \$5.3 million
- Farm Share and Food Banks - \$8.7 million

Fish & Wildlife Conservation Commission - \$378 million

- Hurricane Irma Marine Fisheries Disaster Recovery - \$23.7 million
- Invasive Species Response - \$1.0 million
- Red Tide Research - \$4.2 million
- Boating Infrastructure and Improvement Program - \$5.7 million
- Derelict Vessel Removal - \$4.0 million
- Law Enforcement Body Worn Cameras - \$0.7 million

EDUCATION

Public Schools/K12 FEFP – Total: \$21.8 billion [\$12.5 billion state funds; \$9.3 billion local funds]

- FEFP Total Funds Increase is \$484.8 million or 2.35%

- FEFP Total Funds per Student is \$7,672 and increase of \$242.00
- FEFP Increase of \$18 million, for a total of \$180 million, for school safety initiatives.
- FEFP Increase of \$5.8 million, for a total of \$75 million for mental health initiatives.
- FEFP Increase of \$284.5 million for the revised Best and Brightest Teacher and Principal Program.
- Teachers Classroom Supplies Allocation – \$54.2 million
- Voluntary Pre-Kindergarten (VPK) is funded at \$402.3 million
- Early Learning \$1.2 billion in funding, an increase of \$132.6 million over Fiscal Year 2018-19 for early child education.
- \$2.5 million in funding is provided for additional security at Florida Jewish Day Schools

Higher Education – Total: \$7.25 Billion

- State operating funding for Florida’s higher education system of \$1.3 billion for Florida colleges, and more than \$2.6 billion for Florida universities.
- There is no tuition increase this year in the State College or University System.
- Provides \$6.5 million for students earning industry certifications in high-skill, high-demand areas at career technical centers. This is an increase of \$2 million over Fiscal Year 2018-19.
- \$14 million for students earning industry certifications in high-skill, high-demand areas at Florida colleges, which is an increase of \$4 million over Fiscal Year 2018-19.
- Provides \$20 million in performance funding for state colleges through the 2+2 Student Success Incentive Fund.
- Maintains \$560 million in performance funding for state universities.
- Bright Futures - \$609.5 million
- Pathways to Career Opportunities Grant Program - \$10 million to establish or expand preapprenticeship and apprenticeship programs for high school and college students.
- Work Florida Student Success Incentive Fund at State Colleges – \$10 million in funding to support statewide efforts to align students in Florida to workforce programs, within the Florida College System, to statewide and regional workforce demands and high-wage job opportunities.
- Florida Farmworker Student Scholarship Program - \$500,000



Palm Beach County Budget Items of Interest

**strikethrough indicates item was vetoed.*

EDUCATION

Florida Atlantic University

Florida Atlantic University – Education Enhancement

\$27,939,279

Florida Atlantic University – A.D. Henderson/FAU High Developmental Research School

K-8 Replacement Facility	\$11,500,000
Florida Atlantic University – Medical School	\$26,121,007
Florida Atlantic University—Jupiter STEM/Life Sciences Bldg.	\$11,000,000
Florida Atlantic University – Autism Program	\$1,056,776
Florida Atlantic University – Operating	\$119,583,168
Florida Atlantic University – Max Planck Scientific Fellows	\$750,000
Florida Atlantic University – Max Planck Scientific Fellowship Program (Recurring)	\$889,101
Florida Atlantic University – Financial Assistance	\$399,658
Florida Atlantic University – Secondary Robotics Team Support	\$100,000
Florida Atlantic University – Tuition Authority	<u>\$136,074,256</u>
TOTAL:	\$335,413,515

Palm Beach State College

Palm Beach State College – Operating	\$56,172,015
Palm Beach State College – Education Enhancement	\$7,443,097
Palm Beach State College - Student Success Incentive Fund	<u>\$1,762,142</u>
TOTAL:	\$65,377,254

Palm Beach County Schools K-12

Palm Beach County Public Schools K-12 FEFP Total Funds	\$1,545,785,560
Palm Beach County Workforce Education Programs	\$17,692,976
Palm Beach School Readiness	\$40,845,982
Palm Beach County Voluntary Prekindergarten	\$28,827,543
Riviera Beach Early Learning to Kindergarten Pilot	\$150,000
Kindness Matters Florida (Statewide)	\$25,000
Mangonia Park Reading Program	\$110,500
Palm Beach School District - West Technical Education Center Adult Vocational Training	\$250,000
Wayne Barton Study Center After School Program	<u>\$325,000</u>
TOTAL:	\$8,939,506,491

Education Fixed Capital Outlay

WXEL-TV, Boynton Beach—Replace Chiller in HVAC System	\$224,648
Belle Glade Community and Recreation Center	\$3,250,000
TOTAL:	\$224,648

HEALTH & HUMAN SERVICES

Health & Human Services

Palm Beach Habilitation Center	\$225,000
Alzheimer's Community Care Association - Critical Support Initiative	\$500,000
Place of Hope – Child Welfare Foster Care Regionalization Phase IV	\$250,000
Jerome Golden Center for Behavioral Health	\$100,000
Community Action Treatment for Mental Health/Substance Abuse – Sinfonia	\$750,000
Palm Beach County Rape Crisis Center	\$282,039
Holocaust Survivors Assistance Program - Boca Raton Jewish Federation	\$92,946
Homeless Housing Assistance Grants	\$4,490,800
Feeding South Florida Community Kitchen	\$1,000,000
Federation Transportation Services, Inc.	\$250,000
TOTAL:	\$7,940,785

Projected Net Payments DSH (LIP Not Available until September)

Palms West Hospital	\$5,831
St. Mary's Medical Center	<u>\$19,728</u>
TOTAL:	\$25,559

PUBLIC SAFETY**Criminal & Civil Justice**

Sago Palm Facility – PILT	\$142,900
South Bay Correctional Facility – PILT	\$275,560
Continuum of Care Program (Bay, Glades and Palm Beach)	\$2,961,680
South Bay Correctional Facility	\$1,521,875
Justice Administrative Commission for PIP Fraud (Palm Beach and other counties)	\$1,767,857
West Palm Beach – Incident Command Vehicle	\$150,000
RESTORE Ex-Offender Reentry Program	\$250,000
Home Builders Institute (HBI) Building Careers for Inmates and Returning Citizens	
Miami-Dade, Orange, Palm Beach	<u>\$500,000</u>
TOTAL:	\$7,569,872

TRANSPORTATION & GROWTH MANAGEMENT**Transportation Economic Development**

Rides Rides – Senior Transportation	\$159,520
Jewish Association for Residential Care (JARC) Community Works	\$300,000
Transportation Disadvantaged (Statewide)	<u>\$55,900,000</u>
TOTAL:	\$56,359,520

Arterial Highway Construction

Boutwell Rd from SR 802/Lake Worth Rd to 10th Ave North	\$3,000,000
Fiber Optic Communication Cable, Various Locations	\$2,240,241
Lowson Boulevard/SW 10th Street from Military Trail to SE 6th Avenue	\$4,463,000
Swinton Avenue from S 10th Street to NE 4th Street	<u>\$1,228,205</u>
TOTAL:	\$10,931,446

Aviation Development Grants

Belle Glade State Municipal Airport Taxiway Charlie Construction	\$1,400,000
North Palm Beach County General Aviation Airport Construct Hangars	\$1,200,000
Palm Beach County Glades Airport Expand Aircraft Parking Apron	\$2,600,000
Palm Beach International Airport	\$2,000,000
Palm Beach International Airport Concourse B Expansion	<u>\$10,468,062</u>
TOTAL:	\$17,668,062

Bridge Construction

El Claire Ranch Road over LL-30 Canal	\$ 2,457,615
Seminole Drive at L-16 Canal	\$2,235,784
SR 704/Okeechobee Blvd Westbound to Southbound SR 9/I-95 Interchange	<u>\$2,100,461</u>
TOTAL:	\$6,793,860

Construct/Inspect/Consult

SR 25/US 27 from the Broward/Palm Beach Countyline to Mp 12.599	\$2,936,361
SR 9/I-95 from Gateway Boulevard to Lantana Road	<u>\$1,305,343</u>
TOTAL:	\$4,241,704

County Transportation Programs

SR 809/Military Trail at Forest Hill Blvd	\$1,094,964
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Highway Maintenance

I-95 Asset Maintenance Palm Beach County	\$2,000,000
I-95 Asset Management Palm Beach County	\$1,915,000
Palm Bch Co ITS Maintenance	\$1,800,000
Palm Beach County JPA's for Maintenance Lighting Maintenance	\$3,284,972
Palm Beach County Road Ranger Service Patrol	\$1,664,852
SR 25/US 27 Asset Management Contract US 27 & Belle Glade Area	<u>\$1,900,000</u>
TOTAL:	\$12,564,824

Highway Safety Construction/Grants

SR 9/I-95 from Gateway Boulevard to Lantana Road	\$4,432,817
SR 9/I-95 from SR 706/Indiantown Rd to Palm Beach/Martin County Line	<u>\$6,962,003</u>
TOTAL:	\$11,394,820

Intrastate Highway Construction

Palm Beach County Push Button Contract Traffic Ops (Roadway)	\$1,026,000
SR 25/US 27 from the Broward/Palm Beach Countyline to Mp 12.599	\$12,863,295
SR 9/I-95 from Brow/Palm Bch Co Line to South of Glades Rd	\$1,050,000
SR 9/I-95 from South of Glades Rd to South of Linton Blvd	\$1,000,000
SR 9/I-95 NB Noise Wall Extension to North and South of Diane Dr	<u>\$1,238,138</u>
TOTAL:	\$17,177,433

Preliminary Engineering Consult

SR 5/US 1 Federal Highway from CR A1A to Beach Road	\$1,906,333
SR 5/US 1 over Earman River (C-17) Bridge 930003	\$1,001,692
SR 710/Beeline Hwy from Northlake Blvd to SR 708/Blue Heron Blvd	\$2,000,000
SR 806/Atlantic Ave from Turnpike to Jog Road	\$2,500,000
SR 9/I-95 from Broward/Palm Beach County Line to North of Linton Blvd	\$1,000,000
SR 9/I-95 from S of 10th Ave N to SR 882/Forest Hill Boulevard	\$1,010,000
West Palm Beach Service Plaza Parking Improvements (Mp 94)	\$1,000,000
Widen Tpk - Palm Beach C/L to Glades Rd (Mp 73-75) (6-10 Lns) W/EI	\$2,354,918
Widen Tpk (SR 91) Boynton Beach Blvd-Lake Worth Rd (4 to 8 Lns W/EI), Mp 87-94	\$2,329,126
Widen Tpk (SR 91) WPB Service Plaza to Okeechobee Blvd (4 to 8 Lns) W/Exp Ln	\$5,000,000
Widen Tpk from Glades to Atlantic Ave (Mp 76.4 - 81.6) (6 to 10 Ln) W/EI	\$3,819,828
Widen Tpk from SR 710 (Mp 106.1) to Mp 117 (4 to 8 Lns)	<u>\$21,784,000</u>
TOTAL:	\$45,705,897

Public Transit Development

Palm Beach County Block Grant Operating Assistance	\$5,344,100
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Rail Development

SFRTA New Station Study Area, N of Glades Rd to N of Palmetto Pk Rd	\$3,916,735
South Central Florida Express	<u>\$4,930,050</u>

TOTAL:	\$8,846,785
<u>Right of Way Land Acquisition</u>	
SR 806/Atlantic Ave from West of SR 7/US 441 to East of Lyons Road	\$14,200,259
SR 9/I-95 at Linton Boulevard Interchange	\$1,270,700
SR 9/I-95 at Northlake Boulevard Interchange	\$6,087,547
SR 9/I-95 at SR 804/Boynton Beach Blvd Interchange	\$14,971,956
TOTAL:	\$36,530,462
<u>Right of Way Support</u>	
SR 9/I-95 at Northlake Boulevard Interchange	\$2,477,230
SR 9/I-95 at SR 804/Boynton Beach Blvd Interchange	\$3,913,893
SR 9/I-95 at Gateway Blvd Interchange	\$2,873,766
TOTAL:	\$9,264,889
<u>Seaport Grants</u>	
Port of Palm Beach Area D Mitigation	\$1,125,000
<u>Small County Outreach Program</u>	
Barfield Hwy from E 7 Street to E Main Street	\$2,952,534
SW 10 Ave from S Terminus to Dr MLK Jr Blvd	\$1,307,813
TOTAL:	\$4,260,347
<u>Toll Operation Contracts</u>	
Account Management System/Ccss Operations	\$49,497,101
<u>Transport Planning Grants</u>	
Palm Beach UPWP FY 2018/2019/2020	\$3,114,354
<u>Turnpike System Equipment & Development</u>	
Account Management System/CCSS Operations	\$3,000,000
<u>Traffic Engineering</u>	
Palm Beach County Signal Maintenance & Operations on State Hwy System	\$2,497,583

ENVIRONMENT & NATURAL RESOURCES

<u>Water Projects</u>	
Lake Clarke Shores - Septic Conversion Project	\$300,000
Palm Beach County Loxahatchee River Watershed Hydrological Refinements Phase I	\$160,000
Palm Beach Gardens Stormwater Maintenance, Repairs and Operation Program	\$300,000
Royal Palm Beach Canal System Rehabilitation Project	\$500,000
TOTAL:	\$1,260,000

Beach Restoration

Delray Beach Segment - Palm Beach County Shore Protection Project	\$27,293
Ocean Ridge Segment – Palm Beach County Shore Protection Project	<u>\$25,650</u>
TOTAL:	\$52,943

Environmental Project

Loggerhead Marinelifelife Center Improving Water Quality & Coastline Cleanliness in Palm Beach County	\$250,000
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CULTURE & FINE ARTS**Historic Preservation Grants**

City of Delray Beach 5 District Historic Resource Survey	\$50,000
City of Lake Worth - Historic Resources Survey Update, Phase IV	\$50,000
City of Lake Worth Digital Preservation of Historic Property Records for Public Education and Access	\$50,000
Town of Lake Park - Town Hall Structural Condition Assessment and Report: Town Clerk Ceiling and Exterior Doors	\$28,000
City of Delray Beach Education and Outreach Digitizing Historical Records	<u>\$50,000</u>
TOTAL:	\$228,000

Cultural and Museum Grants

Adolph & Rose Levis Jewish Community Center, Inc	\$43,370
Aequalis, Inc.	\$14,113
African American History Museum and Library	\$150,000
Blue Planet International Explorers' Bazaar & Writers' Room, Inc.	\$6,969
Boca Ballet Theatre Company	\$31,223
Boca Raton Historical Society, Inc.	\$25,007
Boca Raton Museum of Art, Inc.	\$45,673
Boca Raton Philharmonic Symphonia, Inc.	\$26,840
Boynton Cultural Centre, Inc	\$5,604
Center for Creative Education, Inc.	\$20,951
City of Riviera Beach - Parks and Recreation	\$6,572
Creative City Collaborative of Delray Beach, Inc.	\$35,131
Cultural Council of Palm Beach County, Inc.	\$43,132
Delray Beach Chorale, Inc.	\$3,412
Expanding and Preserving Our Cultural Heritage, Inc.	\$14,357
Florida Atlantic University - University Galleries	\$17,727
Historical Society of Palm Beach County	\$28,812
Lighthouse ArtCenter, Inc.	\$38,496
Loxahatchee River Historical Society, Inc.	\$37,647
Lynn University, Inc.	\$42,417
Maltz Jupiter Theatre, Inc.	\$45,673
Norton Museum of Art, Inc.	\$44,959
Old School Square Center for the Arts, Inc.	\$41,124
Palm Beach Dramaworks, Inc.	\$45,197
Palm Beach Opera, Inc.	\$45,276
Palm Beach State College Presenting Season	\$44,595
Raymond F. Kravis Center for the Performing Arts, Inc.	\$45,685
South Florida Science Center and Aquarium, Inc.	\$43,302
Sunfest of Palm Beach County, Inc.	\$43,234

The Henry Morrison Flagler Museum	\$45,140
The Lake Worth Playhouse, Inc.	\$25,737
The Morikami, Inc.	\$44,005
The Palm Beach Symphony Society, Inc.	\$40,928
The Zoological Society of the Palm Beaches, Inc.	\$44,051
Village of Royal Palm Beach - Parks and Recreation - Cultural Center	\$39,626
Village of Wellington - Cultural Programs and Facilities Division	\$40,647
Young Singers of the Palm Beaches, Inc.	<u>\$27,673</u>
TOTAL:	\$1,344,278

Cultural Facilities

Maltz Jupiter Theatre, Inc. - Maltz Jupiter Theatre: Renovation	\$500,000
Raymond F. Kravis Center for the Performing Arts, Inc- Kravis Center Renovations	<u>\$500,000</u>
TOTAL:	\$1,000,000

Culture Builds Florida

For the Children, Inc. - Multicultural Arts Program	\$25,000
Lake Worth Cultural Renaissance Foundation, Inc. - Dia De Los Muertos 2019	\$11,900
Sofia Valiente - Foreverglades	\$25,000
St. Andrew's Episcopal Church - Arts at St. Andrew's	\$9,500
The Children's Coalition Incorporated - Believe & Achieve – A Multicultural Histories Project	\$25,000
The Children's Museum, Inc. - Earth Day	<u>\$15,000</u>
TOTAL:	\$111,400

Library Grants

State Library State Aid	\$23,954,678
Library Cooperatives	<u>\$2,500,000</u>
TOTAL:	\$26,454,678

**strikethrough indicates item was vetoed.*

TAX CUT

Tax Package (HB 7123/HB 7127)

The House voted 81-25 and Senate 23-17 to pass a tax cut package in the final hours of the Session. The Chambers agreed to \$121 million in tax reductions that includes back-to-school and disaster preparedness sales tax holidays and a reduction on commercial leases.

The sales tax holiday for disaster preparedness runs for seven days beginning on May 31, 2109 . The projected \$5.5 million savings will be derived from state and local sales tax exemptions on items such as battery packs, certain non-electric food storage coolers; self-powered light sources and radios, as well as, portable generators under \$750.

The projected \$41.7 million back-to-school tax holiday runs from August 2 to August 6 during which sales tax will not be collected on items such as clothing under \$60, school supplies less than \$15 and personal computers under \$1,000.

Another component of the bill lowers the commercial lease tax by .2 (from 5.7 to 5.5) that accounts for \$27.3 million of the savings next fiscal year. The lower rate will go into effect January 1, which is halfway through the 2019-2020 fiscal year. It is expected to provide \$57.1 million in savings the following fiscal year, when it will be in place for 12 months.

The package also provides refunds on taxes paid for fuel used between October 10, 2018, and June 30, 2019, for agricultural shipments and to haul hurricane debris in many panhandle counties affected by Hurricane Michael.

In addition, the bill addresses property tax assessments and refunds in hurricane affected counties; provides that any future school district millage levied via referenda must share the increase with charter schools proportionate to their FTE enrollment; and expand tax credits payment flexibility for private school scholarships.

The Legislature also passed a Corporate Income Tax base expansions that were exemptions removed by the Federal Tax Cuts & Jobs Act in order to balance with the federal cuts given to the same corporations. The bill decouples from federal law regarding the Global Intangible Low-Taxed Income retroactively, which is an indeterminate but significant impact.

HB 7123 was approved by the Governor on May 15, 2019; Chapter No. 2019-42

HB 7127 was approved by the Governor on June 26 2019; Chapter No. 2019-168

LEGISLATION SUPPORTED BY THE COUNTY THAT PASSED

ENVIRONMENT

Anchoring & Mooring (SB 1666)

The Legislature unanimously passed SB 1666 that directs the Florida Fish & Wildlife Commission to study impacts of longterm storage of vessels anchored and moored outside of mooring fields; create “no-discharge zones” for sewage dumping near certain waterbodies near rural areas; require boater safety identification cards for boats 10 horsepower and above; and designate a portion of registration fees collected by counties for the Marine Resources Conservation Trust Fund.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-54

C-51 Reservoir (HB 95)

The C-51 Reservoir is a planned water conservation project in two phases to be located on land in western Palm Beach County formerly used for rock mining. Completion of Phase I of the project is estimated to store 14,000 acre-feet of water storage from the local basin and Lake Okeechobee (Lake O) for water supply, while Phase II of the project is estimated to provide 46,000 acre-feet of future water storage for alternative water supply projects and other environmental purposes. The ultimate aim of the project is to reduce discharges from Lake O through the C-51 Canal. High lake levels, which lead to discharges, have placed stress on the aging Herbert Hoover Dike. The discharges also contribute to blooms of blue-green algae in the St. Lucie and Caloosahatchee Rivers, their associated estuaries, the Indian River Lagoon, and near shore marine environments.

South Florida Water Management District (SFWMD) has already entered into a public-private partnership with Palm Beach Aggregates, LLC (PBA) to operate and maintain the completed reservoir. Under current law, the WMD must operate Phase I & II of the projects used in reducing discharges and water recovered from Lake Okeechobee may not be currently used to support consumptive use permits (CUPs).

This bill enacts the following changes:

- Expands provisions of the C-51 project currently restricted to Phase II of the project to apply to Phase I, including the ability of the SFWMD to acquire portions of the reservoir’s capacity not already allocated to alternative water supply projects and the ability to acquire more land near the reservoir for project implementation;
- Relaxes the current language mandating the project to reduce Lake O discharges to include the phrase “to the extent practical”; and
- Clarifies that CUPs issued from the reservoir are not supported by water received from Lake O, and that CUPs issued from the reservoir must be in accordance with SFWMD rules.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-68

Coastal Management (HB 325)

This bill revises the statutory criteria by which local beach and inlet project grant requests are ranked by the Department of Environmental Protection (DEP). It requires DEP to divide the criteria into a four-tier scoring

system, to assign each tier a certain percentage of overall point value, and to weigh the criteria equally within each tier. The bill also:

- Provides that if the DEP identifies specific reasonable and documented concerns that the project will not proceed in a timely manner, DEP may choose not to include the project in the annual funding priorities submitted to the Legislature;
- Eliminates the requirement that the DEP assign points for the financial and administrative commitment to the project by the local sponsor, including a long-term financial plan with a designated funding source or sources for initial construction and periodic maintenance;
- Amends the statutory definition of “significant change” to include a project-specific change or cumulative changes that exceed the project's original allocation by \$500,000. Currently, when a funding level for a project significantly changes from the amount the local sponsor requested and was approved in the funding allocation, DEP must notify the Governor and Legislature how the surplus funds will be used;
- Allows surplus funds due to significant changes to be expended on beach restoration and beach re-nourishment projects, not just inlet management projects;
- Authorizes the DEP to use surplus funds from projects that do not have a significant change for inlet management projects, beach restoration and nourishment projects, as a reversionary appropriation, or for other specified priority projects on the active project lists; and
- Requires funding for specific projects on annual project lists approved by the Legislature to remain available for such projects for 18 months.

The changes relating to beach ranking criteria have an effective date of July 1, 2020, while the changes relating to surplus funds have an effective date of July 1, 2019.

For inlet management projects, the bill:

- Revises and updates the criteria that DEP must consider when ranking inlet management projects for funding consideration, and to weigh each criterion equally;
- Authorizes DEP to pay up to 75 percent of the construction costs of an initial major inlet management project component, and allows DEP to share the costs of the other components of inlet management projects equally with the local sponsor;
- Requires DEP to rank the inlet monitoring activities for inlet management projects as one overall subcategory request for funding separate from the beach management project funding requests.

Lastly, the bill requires the DEP to develop and maintain a Comprehensive Long-Term Beach Management Plan that must include the following: a strategic beach management plan, a critically eroded beaches report, and a statewide long-range budget plan that includes a three- year work plan identifying all the beach nourishment and inlet management projects viable for implementation during the ensuing fiscal years.

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-122

Wetland Mitigation (HB 521)

This bill provides that local government may use permittee-responsible mitigation consisting of the restoration or enhancement of lands purchased and owned by the local government whenever state/federal mitigation credits are not available to offset the adverse impacts of a local project. This mitigation must still conform to permitting requirements under s. 373.4136, F.S., and mitigation credits may not be used for any other projects except those located on land purchased for conservation by the local government entity.

This bill was approved by the Governor on June 18, 2019; Chapter No. 2019-110

Public Utility Storm Protection Plans (SB 796)

This bill creates a new statute requiring a recovery clause for storm protection costs. Each utility (excluding gas utilities) will be required to file a transmission and distribution storm protection plan with the Public Service Commission (PSC) detailing 10-years of planned improvements, which the PSC will have 180 days to approve or modify.

The variables that must be considered are:

- The extent to which the plan is expected to reduce restoration costs and outage times associated with extreme weather events and enhance reliability, particularly in areas with lower reliability performance;
- The extent to which the plan is feasible, reasonable, or practical in certain areas of the utility's service area, including in flood zones and rural areas;
- The estimated costs and benefits to the utility and its customers if the proposed improvements are made; and
- The estimated annual rate impact resulting from the plan over the first 3 years of implementation.

These plans must be resubmitted to the PSC every 3 years for further review and modification. Additionally, the PSC must hold proceedings on an annual basis with the Investor-Owned Utilities (IOUs) on whether they can justify and recover these mitigation costs through the cost recovery clause. Under the bill, these costs may automatically be deemed prudent, although a third party may challenge this. If the commission finds that costs were properly incurred, no further review or disallowance is allowed, except in situations involving fraud, perjury, or intentional withholding of information.

The annual transmission and distribution storm protection plan costs that are recoverable through the storm protection cost recovery clause must be stated separately from the public utility's base rates and must be allocated to customer classes pursuant to the rate design most recently approved by the commission.

This bill was approved by the Governor on June 27, 2019; Chapter No. 2019-158

LOCAL GOVERNMENT

Relief/Estate of Herminio Padilla, Jr. /the City of West Palm Beach, Palm Beach County, the City of Lake Worth, the City of Riviera Beach, and the Town of Palm Beach (HB 6515)

Herminio Padilla, Jr., a water reclamation district employee, died when he fell through a catwalk spanning a water treatment area and drowned in the sewage below. Based on a settlement agreement, the bill directs five local government entities to pay a total of \$100,000 to the estate of Mr. Padilla as compensation for his death. The bill also limits the amount that may be paid for attorney fees, lobbying fees, and costs.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-186

PUBLIC SAFETY

Texting While Driving (HB 107)

The House voted 108-7 and Senate voted 33-5 to make texting while driving a primary offense. The final product includes “hands free” zones in school zones and work zones while workers are present. Law enforcement will issue verbal warnings from October to December 2019 and must record the race/ethnicity of those issued violations in order to determine if the law is being enforced with a racial bias. First time violators can avoid penalties if they can show they have purchased a hands free device.

This bill was approved by the Governor on May 17 2019; Chapter No. 2019-44

Firefighter Cancer Benefits (SB 426)

The House and Senate both voted unanimously to pass legislation where, upon initial diagnosis of cancer, firefighters would be provided cancer treatment at no cost and a one-time cash payout of \$25,000. Diagnosis and treatment of cancer would be presumed to have been contracted in the line of duty. To be eligible for benefits, firefighters must be full-time, must have been employed by the same employer for at least five years, must have not used any tobacco products in the preceding five years, and cannot have previous employment that has a higher risk of cancer. Employers must provide coverage through an employer-sponsored health plan or group insurance plan. Firefighters cannot be required to pay co-pays, deductibles, or co-insurance or a local government must timely reimburse these out-of-pocket costs. The bill would raise Florida Retirement System (FRS) contributions to the Special Risk Class by .08% in order to fund benefits and would prohibit employers from requiring employee increases to the FRS in order to fund the benefit.

This bill was approved by the Governor on May 3, 2019; Chapter No. 2019-21

Human Trafficking (HB 851)

The Legislature unanimously passed the human trafficking bill as its final bill of the 2019 Legislative Session. The bill would establish a Direct Support Organization to foster private and community partnerships to provide resources to human trafficking victims. It requires the Florida Department of Law Enforcement to develop and implement a training program for law enforcement. It sets up a massage establishment database modeled after the PDMP to prevent someone convicted of trafficking or prostitution from opening a new business license. It provides a penalty for adult strip clubs that falsify age verification documents. It would allow victims of human trafficking to petition for expungement of kidnapping charges that occurred due to being forced to participate in a human trafficking scheme. Law enforcement and local governments supported the bill.

This bill was approved by the Governor on June 26, 2019; Chapter No. 2019-152

Public Safety Package/Florida “First Step Act” (HB 7125)

The final product raises felony theft thresholds from \$300 to \$750, directs Office of Program Policy Analysis and Government Accountability (OPPAGA) to review thresholds every 5 years, while addressing organized retail

theft. It completely overhauls driver license suspension laws, reducing suspension time periods and creating driver license reinstatement days. It increases penalties and ability to report crimes involving contraband in county facilities, lewd and lascivious acts, cyberstalking and animal welfare. It also repeals mandatory direct file; strengthens court-ordered treatment programs; improves reentry programs; creates the Prison Entrepreneurship Program; and doubles penalty thresholds for trafficking hydrocodone. This initiative has been applauded nationally for accountability and measuring of the impact of reforms.

This bill was approved by the Governor on June 28, 2019; Chapter No. 2019-167

Lewd and Lascivious Exhibition (SB 828)

The Legislature unanimously approved legislation to afford the same protections to county corrections officers as those of state correctional officers in enhancing penalties for sexually harassing inmate behavior. The disparate standards have forced county female correctional officers in some areas to have to file lawsuits alleging facilities are not taking steps to protect them against a sexually hostile work environment. The bill makes it an unlisted third-degree felony for an inmate who engages in certain sexually harassing behaviors towards a correctional employee. The bill is supported by the AFL-CIO and the Palm Beach County Sheriff.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-50

Public Records/Mental Health Treatment and Services (SB 838)

Current law governing involuntary mental health treatment makes a patient's clinical records confidential and exempt from public records law. Other portions of petitions for involuntary examination or involuntary treatment or orders for involuntary inpatient placement, including the allegations and facts in pleadings supporting the petitioner's belief that the individual suffers from mental illness, are open for public inspection.

The bill creates a public records exemption for petitions for voluntary and involuntary examination for mental health treatment, court orders, and related records filed with a court pursuant to the Baker Act, making them confidential and exempt from public record requirements. The bill prohibits the clerk of the court from posting any personal identifying information on the court docket or in publicly accessible files. The bill also requires anyone receiving clinical or court records under this section to keep them confidential. The bill provides for retroactive application of the public record exemption.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-51

TRANSPORTATION

Autonomous Vehicles (HB 311)

The Legislature unanimously passed a bill that updates statutes to embrace developments in autonomous vehicle technology. It includes minimum insurance thresholds, prohibits the levying of fines or fees by local entities (with the exception of seaports and airports), establishes minimum driving conditions for the use of any automatic driving systems, and provides for on-demand autonomous networks.

This bill was approved by the Governor on June 13, 2019; Chapter No. 2019-101

LEGISLATION OPPOSED BY THE COUNTY THAT PASSED

PREEMPTION LOCAL GOVERNMENT

Attorney Fees in Challenges to Local Ordinances (HB 829)

The Senate voted 25-14 and House voted 77-31 to pass a bill that awards attorney's fees to prevailing parties in lawsuits brought against a local ordinance that allegedly violate state or Federal preemptions. The bill allows local governments to avoid paying attorney's fees if ordinance is repealed within 30 days of receiving written notice that it violates a state or Federal preemption. The ordinance must be "expressly" preempted. The final product is prospective in nature thanks to a hard fought (albeit minor) win by local government advocates.

This bill was Approved by the Governor on June 26, 2019; Chapter No. 2019-151

Small Cell Preemption (SB 1000)

The House voted 96-16 and the Senate voted 34-3 to pass legislation that would further preempt local government authority over the use of right-of-ways by communications services providers for the implementation of small cell wireless technology (5G). Among other things, the bill would prohibit permits and fees for upgrading, maintaining, repairing, aerial or underground wireline communications facilities. The bill suspends local ordinances related to communications facilities in the right-of-way not sent to the Department of State and creates a cause of action for violations that would award attorney fees to the prevailing side.

This bill was Approved by the Governor on June 25, 2019; Chapter No. 2019-131

Tree Trimming Preemption (HB 1159)

The House voted 77-36 to pass HB 1159 and sent it to the Senate, where an earlier reached compromise worked was reversed and passed the House version of the bill in a 22-16 vote. It prohibits local governments from requiring a permit for pruning, trimming, and removal of vegetation and trees that presents a danger. Permits could not be required if the tree is certified to meet these conditions by the International Society of Arboriculture. Local governments also could not require the trees to be replanted if removed according to these conditions. Mangroves are exempted. The bill also allows a property owner year-round to request an electric utility to maintain vegetation on property adjacent to the electric utility's right-of-way without notice or permission from the local government. This would only apply to situations when it is necessary for power restoration or when the vegetation is threatening to cause a power outage. Finally, it requires a Property Owners Bill of Rights to be posted on the Property Appraiser website.

This bill was approved by the Governor on June 26, 2019; Chapter No. 2019-155

Government Accountability (SB 7014)

The Legislature unanimously passed SB 7014 that implements recommendations from the Auditor General's office. It requires various entities (including local governments, water management districts, charter schools, public defenders, state attorneys, school districts, Guardian Ad Litem, etc.) and others to establish internal

controls to prevent and detect waste, fraud and abuse. It requires local governments to maintain budget documents on websites for specified times. It gives the Auditor General authority to audit county tourist development councils and county tourism promotion agencies. It revises membership for local government, school district and charter school audit committees. Finally, the bill would make it a first-degree misdemeanor to fail to provide access to a person, document or agency to the Auditor General. The bill allows an employee of the local government on the auditor selection committee in an advisory capacity.

This bill was approved by the Governor on April 26, 2019; Chapter No. 2019-015

Vegetable Gardens Preemption (SB 82)

The House voted 93-16 and the Senate voted 35-5 to ban local governments from regulating vegetable gardens on residential property. The ban does not apply to general regulations that are not specific to vegetable gardens, such as ordinances regulating fertilizer, water use and invasive species. The bill originates out of a Miami Shores ordinance.

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-120

PLANNING AND ZONING

Development Package (HB 7103)

The House voted 66-42 and Senate voted 26-13 to pass a bill that includes: impact fee revisions, inclusionary housing; private inspection providers; attorney's fees in development challenges; school impact fees; and shortened or specific timelines for local government actions and limitations on reviews; and data collection on high rise condominiums (above 75 ft) that are not retrofitted for sprinklers or life safety systems.

Some of the main provisions are:

Inclusionary Zoning: The bill requires local governments to provide incentives that would make developer whole for any inclusionary zoning (affordable housing) requirements. This is slightly watered down version from an outright ban on inclusionary zoning policies, but still limits local government models. It carves out the Florida Keys as an Area of Critical State Concern.

Private Providers: It prohibits local governments for charging building inspection fees if the fee owner or contractor hires a private provider; however, they may charge a reasonable administrative fee. This is problematic for several reasons: Many local governments charge a flat rate and do not track an inspection fee vs. administrative fee. It also limits audits of private providers to only four times per year per company despite some private provider companies performing dozens of inspections. It also limits the scope of subsequent reviews to only those cited in the initial written notice, which could exclude deficiencies arising after initial inspections and those arising from repairs to deficiencies.

Development Orders: Local governments will have 30 days to review a development order application for completeness, 30 days for applicants to address deficiencies, 120 days (or 180 days for quasi-judicial) to make a final decision to approve, approve with conditions, or deny the application.

Attorney Fees: The bill provides that prevailing parties are entitled to reasonable attorney fees incurred in challenging or defending development orders brought to enforce local comprehensive plans.

Impact Fees: This bill overrides the bill passed previously this Session (see next bill below) that codified the “dual rational nexus test” for impact fees. It provides that fees must be “proportionate and reasonably connected to” or have a rational nexus with the impact/benefits of the new construction. It also requires local governments to credit contributions from public education facilities based on the amount of the impact fee not on the type of school. It also authorizes local governments to waive impact fees for affordable housing without having to offset the cost.

This bill was approved by the Governor on June 18, 2019; Chapter No. 2019-106

Impact Fees (HB 207)

The Senate voted 39-1 after the House voted 101-12 to codify court requirements that impact fees bear a rational nexus to needs for additional capital facilities, expenditures of collected revenue, and benefits to new construction. It would prohibit any local government from requiring payment of impact fees any time prior to issuing a building permit. Impact fee revenues would be designated for acquiring, constructing, or improving the capital facilities to benefit the new users. Impact fees collected by a local government could not be used to pay existing debt or prior approved projects unless there is a rational nexus to the impact generated by the new construction. It excludes fees charged for connecting to water and sewer systems. However, the provisions of this bill were rewritten by HB 7103 to include that they must be “proportional or have a rational nexus.” The rule being that the bill passed last has the ultimate say.

This bill was approved by the Governor on June 18, 2019; Chapter No. 2019-106

Building Permits (HB 447)

The Legislature unanimously approved a bill that allows the Florida Building Commission to adopt triennial amendments to the Florida Building Code. The final product prevents local governments from carrying over excess funds in its building inspection budget greater than the cost of building code enforcement for the previous 4 fiscal years. It requires excess funds be used to reduce and rebate fees. It also prevents surcharges and fees not directly related to enforcing the Florida Building Code and provides that local governments may only charge one search fee for identifying permits associated with one unit or sub-units.

This bill was approved by the Governor on June 07, 2019; Chapter No. 2019-75

Small Scale Comprehensive Plan Amendments (HB 6017)

The House voted 108-5 and the Senate voted unanimously to pass a bill that repeals the 120-acre cumulative annual limit on small-scale development amendments that may be approved by a local government.

This bill was approved by the Governor on June 26, 2019; Chapter No. 2019-157

Permit Fees (HB 127)

The House and Senate unanimously passed a bill that would require local governments to post their schedule of building permit and inspection fees on their websites by December 31, 2020 and thereafter provide a detailed utilization report prior to making changes to the schedule.

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-121

Community Development Districts (CDD) (HB 437)

The House voted 106-9 and the Senate unanimously passed legislation intended to streamline the process of establishing and growing Community Development Districts. Local governments would identify parcels of land adjacent to the CDD that may be annexed over the next ten years.

This bill was approved by the Governor on June 28, 2019; Chapter No. 2019-164

TRANSPORTATION

Department of Transportation Package (HB 905)

The Legislature unanimously approved a transportation package prohibiting local governments from adopting standards for permissible aggregates and reclaimed asphalt pavement contrary to DOT standards. It also prohibits the same firm from being used for design and construction if the project receives any state funding with the exception of seaports. It requires contractors bidding for projects over \$50 million to have successfully completed two previous contracts for \$15 million (amended from \$25 million). It also increases the threshold for claims going before the State Arbitration Board. While seaports were exempted, airports were not. Despite several attempts to include airports in the exemption, including in a later engineering bill that also amended the definition of contractor for the same purpose, the sponsors only agreed to state on the floor that the intent was to not impact current projects or projects pending approval.

This bill was approved by the Governor on June 26, 2019; Chapter No. 2019-153

LEGISLATION OPPOSED BY THE COUNTY THAT DID NOT PASS

GENERAL GOVERNMENT

Vacation Rentals (HB 987/SB 824)

Local government advocates were able to prevent the Senate bill that further preempted local vacation rentals ordinances from being heard in its first committee of reference. The House bill passed its final committee of reference by only one vote. The perennial bill provided that any regulation imposed on one property must

apply uniformly to all regardless of the transient nature of its occupancy. The bill would have also invalidated ordinances that had been previously passed before 2011 and taken authority from Homeowners Associations (HOAs).

LOCAL GOVERNMENT

Preemption of Local Regulation of Occupational Licensure (HB 3/SB 1748)

The House voted 88-24 to preempt regulations on professions and occupational licensure after the sponsor removed general regulations on businesses. However, its Senate companion was never heard in its first committee. The bill would have sunsetted all local regulations on professions and occupational licensure by 2021. It would have preempted licensure for certain jobs including, but not limited to, painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, and decorative stone, tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, canvas awning installation, and ornamental iron installation.

Retainage Fees (HB 101/SB 246)

The House voted 104-10 to reduce the allowable amount of retainage public entities may withhold from contractors during a construction project that is \$200,000 or more. However, its Senate companion died in committee. The legislation would have reduced the allowable amount of retainage from 10% to 5% across the board, after removing language that would place it at 5% until 50% completion of the project and from 5% to 2.5% after 50% completion.

TRANSPORTATION

Towing & Immobilizations (HB 1237/SB 1792)

The House voted 83-31 to pass a bill that would preempt towing and wrecking ordinances, impacting consumer protection models of local government ordinances. However, its Senate companion was not placed on the agenda for its final Senate committee. It would have set licensure and notice requirements, and prohibited ordinances or rules that impose a fee on wrecker operators and immobilization of vehicles or vessels. It also would have prohibited local governments from addressing attorney's fees or court costs related to towing on private property. It would also prohibit local governments from requiring a towing company accept checks as a form of payment. It carved out Palm Beach and Broward County ordinances, causing some to vote for the bill despite their objections.

WATER AND ENVIRONMENT

Domestic Wastewater Collection System (HB 105/SB 286)

The House unanimously passed legislation that creates a Blue Star Domestic Wastewater Collection System & Maintenance Program under Department of Environmental Protection (DEP). However, the Senate bill was not heard in its final committee of reference. The bill was part of an environmental package that passed the

previous Session but was vetoed by Governor Scott for unrelated provision. The program is voluntary and incentive-based and designed to assist public and private utilities in limiting pollution and sanitary sewer overflows.

OTHER LEGISLATION OF INTEREST THAT PASSED

EDUCATION

Anti-Semitism (HB 741)

The Florida Educational Equality Act (FEEA) requires equal access to, and prohibits discrimination against, any student or employee of the state's K-20 public education system on the basis of race, ethnicity, national origin, gender, disability, or marital status. The bill amends the FEEA to add religion as a protected class with regard to discrimination against students and employees in Florida's K-20 public education system. The bill requires a public K-20 educational institution to treat discrimination by students or employees or resulting from institutional policies motivated by anti-Semitism in an identical manner to discrimination motivated by race.

The bill also amends the FEEA to add a definition of anti-Semitism similar to the definition adopted by the U.S. Department of State's Special Envoy to Monitor and Combat Anti-Semitism, providing that "anti-Semitism" is a certain perception of Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his or her property, or toward Jewish community institutions or religious facilities; the definition includes examples of what classifies as anti-Semitism including those related to Jewish people generally and the State of Israel. The bill includes legislative intent that the new law defining anti-Semitism may not diminish or infringe upon any right protected under the First Amendment to the U.S. Constitution, or the Florida Constitution, and prohibits construction of the law in conflict with federal or state discrimination laws.

This bill was approved by the Governor on May 31, 2019; Chapter No. 2019-59

School Safety and Security (SB 7030)

After days of emotional debate, the Senate voted 22-17 and the House voted 65-47 to pass their School Safety package. The bill controversially expands the Guardian program to include willing teachers in districts that have opted to use the program. The bill contains a wide range of recommendations from the Marjory Stoneman Douglas (MSD) High School Commission, including collection and sharing of data, strengthening school security plans and oversight. The MSD Commission had recommended the expansion of the guardian program in order to make up for the shortfall of Security Resource Officers (SRO) officers in schools. Supporters argue that very few teachers and very few school districts would volunteer for the Guardian program. Instead, it would increase flexibility for the security dollars to be used. Opponents pointed out that the bill contained the Guardian expansion, as it would be passed unanimously for its provisions strengthening data sharing, school hardening, safety policies, and mental health resources for students.

This bill was approved by the Governor on May 8, 2019; Chapter No. 2019-22

K-12 Education (SB 7070)

The Senate voted 23-17 and the House voted 76-39 to advance a bill that implements many of the priorities announced by the Senate and Governor on school choice. The bill creates the Family Empowerment Tax Credit program that expands publicly funded (through business tax credits) vouchers for children to attend private schools. Children currently enrolled in charter schools or in the school for the Deaf & Blind are not eligible for the vouchers. It also expands and funds wrap around services for kids in after school care.

This bill was approved by the Governor on May 9, 2019

ELECTIONS

Local Tax Referenda (Constitutional Amendments by Petition) (HB 5)

During the last days of session, a pre-emption on local tax referenda elections was amended to include higher restrictions on constitutional amendments sponsored by petition drives and then passed along party lines by the Legislature after a bitter, partisan debate. The underlying bill requires that a referendum to adopt or amend a local government discretionary surtax must be held at a general election and must be submitted to Office of Program Policy Analysis and Government Accountability (OPPAGA) at least 180 days before the referendum is held or be rendered void. The last minute language added was the substance of a bill considered dead, which increased barriers to constitutional amendments sponsored by petitions such as increasing requirements and cost of collecting signatures. Opponents felt that it was directly aimed at initiatives underway that would raise the minimum wage to \$15/hour. Supporters claimed that the Constitution should be more protected than allowing the latest topic du jour (like pregnant pigs as the famous example) through an easy petition initiative. They also claim that they were not getting rid of petition initiatives and that the people had an opportunity to create change via the Legislature. In the end, the House voted 67-43 and Senate voted 22-17.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-64

Election Administration (SB 7066)

One of the most contentious bills this legislative session was the implementation of Amendment 4, which restored the rights of convicted felons to vote. The pivotal, contentious issue focuses on the obligation to pay fines or fees prior to restoration of voting rights. Both the House and the Senate require paying obligations, which has created significant outcry from advocates who claim that this obligation is akin to a modern-day poll tax. Some opponents acknowledged that an implementing bill was needed in order to specify the crimes covered in the amendment as opposed to being “self-executing.” However, they opposed the financial obligations, citing them as a barrier for the poor to have rights restored. Supporters countered that it would be unfair to victims of crimes to not require restitution payments. The bill itself ultimately died, however the language was placed into an elections reform bill.

The bill implements s. 4, Art. VI of the Florida Constitution, relating to felon voting rights. The bill defines terms; establishes a process for verifying voter eligibility; requires information on outstanding terms of a sentence be provided to a person released from prison, probation, or parole; and creates a work group to conduct a review of specified voter registration verification processes.

The bill also makes the following changes to the Florida Election Code:

- Revises deadlines relating to vote-by-mail (VBM) ballots including deadlines for curing defective VBM ballot signatures, requesting VBM ballots and mailing out such ballots, mailing domestic VBM ballots, canvassing of VBM ballots, and updating a voter's signature for purposes of validating a VBM ballot;
- Allows a voter to drop off his or her VBM ballot at secure drop boxes at specified locations;
- Requires the Department of State (DOS) to provide formal signature matching training;
- Creates a provisional ballot signature cure process that mirrors the VBM ballot signature cure process;
- Requires each County Canvassing Board (CCB) member and all CCB staff to wear identification badges at certain times;
- Expands the no-solicitation zone at polling places and early voting sites;
- Allows a voter to photograph his or her ballot in a polling place;
- Requires DOS to adopt rules regarding minimum security standards that address chain of custody of ballots, transport of ballots, and ballot security;
- Requires all voting be via paper mark sense ballot or via voter interface device that meets state and federal standards for accessibility and produces a voter-verifiable paper output; and
- Allows a supervisor of elections (SOE) to forego publication of a sample ballot in a newspaper if certain requirements are met.

This bill was approved by the Governor on June 28, 2019; Chapter No. 2019-162

ENVIRONMENT

Department of Environmental Protection (HB 5401)

This bill re-creates the Division of Law Enforcement within the Department of Environmental Protection (DEP) and transfers all the primary powers and duties of the Florida Fish and Wildlife Commission (FWC) with regard to the investigation of certain environmental crimes and the enforcement of related laws, in accordance with the memorandum of agreement to be entered into between the two agencies. The FWC will retain law enforcement authority over the patrol of state-owned lands managed by the DEP, and the FWC will coordinate with the DEP in that regard.

The bill requires the FWC and the DEP to develop a new memorandum agreement detailing the respective responsibilities of the FWC and the DEP with regard to at least all of the following:

- Support and response for oil spills, hazardous spills, and natural disasters;
- Law enforcement patrol and investigative services for all state-owned lands managed by the DEP;
- Law enforcement services, including investigative services, for certain criminal law violations; Enforcement services for civil violations of the DEP's administrative rules related to parks, coastal and aquatic areas, and greenways and trails; and
- Current and future funding, training, or other support for positions and equipment being transferred from the FWC to the DEP, which can be funded through any trust fund.

To further effectuate the transfer, the bill also:

- Establishes a joint-enforcement role for the DEP and FWC in policing the state's parks and preserves;

- Authorizes a statewide radio communications system to serve state and local law enforcement units, and appoints a DEP representative to the task force charged with designing, planning, and implementing that system;
- Authorizes the DEP to expend available monies from the Inland Protection Trust Fund to enforce laws related to protection from contamination of stored petroleum or petroleum products.

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-141

Florida Red Tide Mitigation and Technology Development Initiative (SB 1552)

The bill creates the Florida Red Tide Mitigation and Technology Development Initiative (Initiative) and the Initiative Technology Advisory Council and provides for annual funding. It requires the Initiative to submit an annual report containing an overview of its accomplishments and priorities to the Governor, Legislature, Department of Environmental Protection (DEP), and Fish and Wildlife Conservation Commission (FWCC).

This bill was approved by the Governor on June 20, 2019

GENERAL GOVERNMENT

Community Redevelopment Agencies (CRA) (HB 9)

The Senate voted 36-1 and the House voted 80-31 to pass CRA reform. The legislation includes a phase out of CRAs with no outstanding bond obligations by 2039 or by the date adopted in its charter by October 1, 2019, whichever is earlier. A creating local government can extend the life of the CRA by a majority vote. The bill also includes ethics training for CRA commissioners; procedures for board appointments and procurement; and reporting requirements. It requires CRAs to stick to an annual adopted budget and requires CRAs created by a municipality to send adopted budgets and amendments to the County within 10 days of adoption. It also authorizes a creating local government to establish the amount of Tax Increment Financing (between 50-95% of the increment) available to the CRA and removes a three-year limit on rollover funding for adopted projects.

This bill was approved by the Governor on June 28, 2019; Chapter No. 2019-163

Public Records & Public Meetings/Local Government Utilities (HB 327)

Florida's sunshine laws require records pertaining to a matter of public interest to be open to public review, while meetings of any government body where public matters are discussed must be open to the public, unless an exception is provided by general law. Information pertaining to IT security for publicly owned or operated utilities is currently exempt from the public records requirement, but not from public meeting requirements. This bill exempts any meeting during which IT security for public utilities is discussed from the public meeting requirement; however, the meeting must still be recorded and transcribed, and the record kept confidential unless a court of competent jurisdiction determines that the information is of a non-exempt nature after a review of the meeting records. Even then, only those portions of the transcript or recording detailing non-exempt data may be disclosed to a third-party. This exemption is subject to the Open Government Sunset Review Act and will stand repealed October 2, 2024 unless extended by the Legislature.

This bill was approved by the Governor on May 14, 2019; Chapter No. 2019-37

Department of Financial Services (HB 1393)

The bill modifies several areas regulated by the Department of Financial Services (DFS), including requiring the Division of State Fire Marshall to adopt rules to establish employers' cancer prevention best practices related to personal protective equipment, decontamination, fire suppression equipment, and fire stations.

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-140

Death Benefits (SB 7098)

The bill implements s. 31, Art. X of the Florida Constitution. It increases the amount of the death benefits currently provided to Florida National Guard (FLNG) members on state active duty; firefighters; and law enforcement, correctional, and correctional probation officers as follows:

- From \$50,000 to \$75,000 when an eligible firefighter; FLNG member; or law enforcement, correctional, or correctional probation officer is accidentally killed or receives accidental bodily injury that results in the loss of the individual's life
- From \$50,000 to \$75,000 when an eligible firefighter; FLNG member; or law enforcement, correctional, or correctional probation officer is accidentally killed in the above manner and meets additional requirements, such as the accidental death occurs as a result of the response to an emergency
- From \$150,000 to \$225,000 when an eligible firefighter; FLNG member; or law enforcement, correctional, or correctional probation officer is unlawfully and intentionally killed or dies as a result of such unlawful and intentional act while engaged in the performance of official duties

The bill also provides these benefits to paramedics, emergency medical technicians, and part-time firefighters and removes the annual Consumer Price Index adjustment of the benefit amounts.

The bill creates a new death benefit of \$75,000 for FLNG members who are killed while on federal active duty and engaged in performing official duties, as well as for United States Armed Forces members who are killed while on active duty and engaged in official duties, while either a resident of or duty posted within Florida at the time of death. Members of the U.S. Armed Forces who are killed while on active duty but not engaged in official duties are entitled to a \$25,000 death benefit.

The bill expands death benefits for certain educational expenses of surviving spouses and children by providing them to firefighters, law enforcement officers, correctional officers, correctional probation officers, and FLNG members who are accidentally killed or receive accidental bodily injury resulting in loss of life. These benefits are also provided to paramedics, emergency medical technicians, FLNG members who are killed while on federal active duty, and U.S. Armed Forces members who are killed while on active duty.

The bill was approved by the Governor on May 10, 2019; Chapter No. 2019-24

Public Records/Victim of Mass Violence (SB 186)

The bill expands an existing public record exemption for photographs, videos or audio recordings that depict or record the killing of a law enforcement officer to include records relating to the killing of a victim of mass violence.

The bill was approved by the Governor on May 23, 2019; Chapter No. 2019-46

Right of Entry (HB 767)

The bill releases the right of entry that has been reserved for mineral rights held by a local government, a water management district, or other agency of the state for property that is less than 20 acres of a contiguous tract under the same ownership.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-85

Pub. Rec./Voters and Voter Registration (HB 281)

The bill makes information related to a voter registration applicant's or voter's prior felony conviction, and whether or not a person has had his or her voting rights restored confidential and exempt from public record requirements. The bill also makes all information concerning 16 and 17 year olds who preregister to vote confidential and exempt from public record requirements.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-55

Construction (HB 447)

The Legislature unanimously approved a bill that allows the Florida Building Commission to adopt triennial amendments to the Florida Building Code. The final product prevents local governments from carrying over excess funds in its building inspection budget greater than the cost of building code enforcement for the previous 4 fiscal years. It requires excess funds be used to reduce and rebate fees. It also prevents surcharges and fees not directly related to enforcing the Florida Building Code and provides that local governments may only charge one search fee for identifying permits associated with one unit or sub-units.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-75

Registered Contractor (HB 763)

The bill reopens a currently expired provision that allows locally registered electrical, alarm system, and electrical specialty contractors who meet certain requirements to use their local registration to qualify for a statewide certification if such contractor submits an application to the Electrical Contractors' Licensing Board by November 1, 2021.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-84

Pub. Rec./Public Utility Held Customer Information and Data (HB 591)

The deployment of utility "smart meter" technology allows utility customer usage to be measured on a more frequent basis than traditional monthly meter reading and allows this data to be automatically and wirelessly transmitted to the utility. Depending on the capabilities of the various types of utility meters in use and the data collection practices of individual local government utilities, this data may include detailed information about the consumption of electric, natural gas, water, or wastewater services by individual homeowners and businesses on an hourly or even minute-by-minute basis. Local government utilities are subject to Florida's public records laws and, upon request, are required to produce their customer-specific data.

The bill creates a public record exemption for customer meter-derived data and billing information in increments of less than one billing cycle held by a local government utility. This exemption applies to such information held by a local government utility before, on, or after the effective date of the exemption.

The bill does not appear to have a fiscal impact on the state; however, it may have a minimal fiscal impact on local government utilities.

This bill was approved by the Governor on May 14, 2019; Chapter No. 2019-38

HEALTH AND HUMAN SERVICES

Hospital Licensure (HB 21)

The certificate of need (CON) program, administered by the Agency for Health Care Administration (AHCA), requires certain health care facilities to obtain authorization from the state before constructing new facilities or offering certain new or expanded services. Health care facilities and services subject to CON review include hospitals, tertiary hospital services, complex medical rehabilitation beds, nursing homes, hospices, and intermediate care facilities for the developmentally disabled.

The bill repeals CON review for general hospitals, tertiary hospital services and complex medical rehabilitation beds effective July 1, 2019. The bill repeals CON review for specialty hospitals effective July 1, 2021.

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-136

Closing the Gap Grant Proposals (HB 1045)

The Department of Health (DOH) Office of Minority Health and Health Equity administers the Closing the Gap program, which provides grants for community-based health and disease prevention activities to improve health outcomes and eliminate racial and ethnic health disparities.

The bill requires DOH to determine the award amount for each Closing the Gap grant based on the merits of the application and to ensure that grants are awarded to applicants from various regions of the state. The bill requires DOH to promote synergistic initiatives between the Closing the Gap program and the HIV/AIDS program, and allows the Closing the Gap program to fund projects directed at decreasing racial and ethnic disparities in morbidity and mortality rates relating to Alzheimer's disease and dementia.

This bill was approved by the Governor on June 26, 2019; Chapter No. 2019-154

PUBLIC SAFETY

Safe Medical Use of Marijuana (SB 182)

Early in Session, the legislature rushed to adhere to the Governor's March 15th deadline to permit the use of smokable marijuana. The House voted 101-11 and the Senate voted 34-4 to approve the bill. The bill allows minors to smoke medical marijuana only if they are terminally ill and approved by a second physician. It limits patients to 2.5 ounces every 35 days, unless the Department of Health approves an increase at a patient's request. Physicians would be required to show why smokable marijuana is the best avenue for the patient to ingest the medicine.

This bill was approved by the Governor on March 18, 2019; Chapter No. 2019-001

Hemp (SB 1020)

The Senate voted 39-0 and House voted 112-1 to direct the Florida Department of Agriculture and Consumer Services to craft a state plan permitting the cultivation of hemp. Authorized by the most recent federal farm bill, states are permitted to submit plans with requirements, processes and enforcement provisions for cultivating hemp. The program does reflect more of the provisions of the original House bill, with the Department required to establish a plan with mandatory registrations and background checks of farmers with random annual inspections of each licensee. The bill also has the language from the Senate side creating a "Hemp Advisory Council".

This bill was approved by the Governor on June 25, 2019; Chapter No. 2019-132

Drug Importation (HB 19)

The Senate voted 27-13 and the House voted 93-22 to establish two international drug importation programs. The bill establishes two programs, the first is narrowly focused to allow importation from Canada, and the second sets the state up to import from any other nation if authorized by the federal government. The Canadian importation program has been permitted in federal law for over a decade but has never been authorized by the US Department of Health and Human Services.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-81

E-911 Systems (HB 411)

The House & Senate unanimously passed legislation to require the Department of Management Services to develop a plan to upgrade 911 public safety answering points to transfer emergency calls to other responding law enforcement agencies by February 1, 2020 and allow direct communication between 911 radio systems. The bill reflects a compromise between the police chiefs and the sheriffs on deferring to local entities to determine what works best for their own communities.

This bill was approved by the Governor on June 26, 2019; Chapter No. 2019-146

Carrying Of Firearms By Tactical Medical Professionals (HB 487)

The Senate voted 39-1 and House voted 109-7 after adding in provisions that prohibited firearms and ammunition on fire apparatus and EMS vehicles and required the law enforcement agency to issue any firearms or ammunition carried. The bill will allow certain physicians and paramedics embedded in law enforcement SWAT teams to carry firearms while in active support of a tactical operation. The medics have advanced life-saving skills and respond to calls with SWAT teams in order to quickly address medical emergencies and save the lives of victims, law enforcement, and even perpetrators. The bill is supported by the Florida Sheriffs Association, Florida Fire Chiefs Association, Broward Sheriff's Office, and Broward Police Chiefs Association.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-77

Federal Immigration Enforcement (SB 168)

The Senate voted 22-18 and the House voted 68-45 to ban “sanctuary” jurisdictions. The Legislature passed this bill after days of emotional and intense debate and roughly 130 floor amendments that sent the bill back and forth between the Chambers. The bill requires state and local entities to comply with federal immigration detainers. The bill requires local jurisdictions to cooperate with Immigration and Customs Enforcement (ICE) if certain federal detainer documentation is provided and for county correctional facilities to enter into agreements with a federal immigration agency on reimbursement for costs of holding detainees. The bill also added in some protections for illegal aliens who report crimes or are necessary witnesses or victims of crimes. It also “prohibits discrimination” for gender, race, religion and disability.

This bill was approved by the Governor on June 14, 2019; Chapter No. 2019-102

TAX AND ADMINISTRATION

Local Government Financial Reporting (HB 861)

The bill requires each county and municipality to post their annual budgets to their respective websites for at least two years and tentative budgets to their websites for at least 45 days. The bill also requires each county and municipal budget officer to submit certain information regarding the final budget and the local government’s economic status to the Office of Economic and Demographic Research.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-56

Financial Disclosure (HB 7021)

The bill provides for the mandatory electronic filing of Form 1 and Form 6 financial disclosures by specified state officers and employees. The bills require the Commission on Ethics to procure and test an electronic disclosure filing system by January 2022. The bill requires disclosures to be completed and submitted online and to be accessible and searchable online by the public. Form 6 filers would be required to file their forms electronically beginning January 1, 2022. Form 1 filers would be required to file their forms electronically beginning January 1, 2023. The bills provide for the filing of a receipt or verification of the filing with local qualifying officers and provide for the filing of candidate statements with local qualifying officers. The bills require Form 6 filers to identify each separate source of income that exceeds \$1,000. The bills prohibit filers from submitting, and prohibit the Commission on Ethics from accepting, specified information such as federal income tax forms, social security numbers and other confidential financial information.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-97

TRANSPORTATION

Micromobility Devices and Motorized Scooters (HB 453)

The Legislature passed, with only 1 vote in opposition, a bill that would create a regulatory framework to authorize motorized scooters and micromobility devices and place them under the same road requirements as a bicycle (i.e. get them off sidewalks and into bike lanes. The final language allowed local governments to retain full regulatory authority over roads and sidewalks.

This bill was approved by the Governor on June 18, 2019; Chapter No. 2019-109

Passenger Trains (HB 341)

The Legislature unanimously passed a bill that would change law enforcement procedures after an accident involving a passenger train. The bill gives law enforcement discretion in interviewing “witnesses” to the accident. Current law treats passenger trains as motor vehicles and therefore all passengers must be interviewed as witnesses whether they actually witnessed the events or not. The process has been criticized as lengthy and causing unnecessary delays in getting trains back up and running.

This bill was approved by the Governor on June 7, 2019; Chapter No. 2019-69

Senate President’s Transportation Priority (SB 7068)

The Senate voted 37-1 and the House voted 76-36, despite heightened concerns of environmental groups and a large recurring fiscal impact to general revenue, to pass the Senate President’s priority legislation. The bill creates taskforces and a budget nest egg to advance significant tolled-road projects to three rural corridors in western Florida, termed Multi-use Corridors of Regional Economic Concern (MCORES):

1. Southwest-Central Florida Connector, extending from Collier County to Polk County
2. Suncoast Connector, extending from Citrus County to Jefferson County
3. Northern Turnpike Connector, extending from the northern terminus of the Florida Turnpike northwest to the Suncoast Parkway

The Senate President’s intent is to also connect water infrastructure and broadband through this transportation project. The bill directs Florida Department of Transportation (FDOT) to convene a task force to study the feasibility and environmental impacts that must report by June 30, 2020, with construction to begin 2022, and the corridors to be open by 2030. It partly funds the projects by a phased-in redirection of portions of license fees currently going towards General Revenue to the State Transportation Trust Fund and then using that increase directly for the projects via a formula laid out in the bill with specific increases to the Small County Outreach Program (SCOP), Transportation Disadvantaged Trust Fund, Small County Road Assistance Program (SCRAP) and an FDOT Workforce Development program created in the bill. Other funding sources include toll revenue bonds, bridge and right-of-way construction bonds, and advances from the State Transportation Trust Fund (that must be paid back) for the FDOT Financing Corporation to use through P3s or other similar partnerships. The language also states that the extra TDTF funding will be in the form of grants to community transportation coordinators and Transportation Network Companies.

This bill was approved by the Governor on May 17, 2019; Chapter No. 2019-43

Transportation (HB 385)

The bill provides honorary designations for various transportation facilities across the state. The Department of Transportation is directed to erect suitable markers for each of the designations. Included in those designations are markers for two Florida Highway Patrol deputies, Troopers Herman T. Morris and Frederick J. Groves, killed while on duty in Palm Beach County.

This bill was approved by the Governor on July 3, 2019; Chapter No. 2019-169

Commercial Motor Vehicles (HB 725)

The bill requires the Department of Transportation, in conjunction with the Department of Highway Safety and Motor Vehicles, to develop a permitting program for the use of certain oversized and overweight semitrailer combinations for transporting farm products on local roads within the Everglades Agricultural Area.

This bill was approved by the Governor on June 26, 2019; Chapter 2019-149

OTHER LEGISLATION OF INTEREST THAT FAILED

ECONOMIC DEVELOPMENT

Sports Franchises (HB 791/SB 414)

The House voted 103-13 to pass a bill repealing the Sports Development Program, which enables sports franchises to apply for sales and use tax revenue for facility construction and improvements. The House bill would have repealed tax funding for Spring Training and motorsports facilities. The Senate bill remained in committee and was not heard on the floor.

GENERAL GOVERNMENT

Tobacco Products (HB 7119/SB 1618)

The Senate voted 36-3 to pass a bill that raises the minimum age to purchase tobacco products (including e-cigarettes) to 21 and preempts minimum age requirements. A preemption on regulations of marketing practices was removed, as was an exemption for cigars. However, the House did not take the bill up nor did it take up its version, which was on the floor after being filed as a committee bill and moving through one committee of reference.

Employment Conditions (HB 847/SB 432)

This legislation stalled in its final House committee and second Senate committee. It would have preempted “conditions of employment” placed on private businesses by local governments, including: pre-employment screenings, job classification determinations, job responsibilities, hours of work, schedules and schedule changes, wages, payments of wages, leave, paid/unpaid days off, and employee benefits. It eventually grandfathered existing ordinances. The bill was in response to Miami Beach’s minimum wage ordinance.

“Rebranding” of Taxes & Fees (HB 7053)

This bill lost momentum after reaching the House floor. It would have rebranded “fees” as “taxes” in an apparent effort to raise public awareness on government levies. The bill would have required specified fees be renamed “taxes” including those levied on the local level.

Public Construction Projects (HB 167/SB 806)

The House voted 105-3 to pass legislation requiring local governments to use generally accepted cost accounting methods when determining whether it should complete a construction project using in-House employees, services and equipment instead of bidding for a contract. Its Senate companion died in committee.

HEALTH & HUMAN SERVICES

Jordan’s Law (HB 315/SB 634)

The House unanimously passed “Jordan’s Law,” however the Senate bill was not heard in its final Senate committee. The bill would have added requirements to instruct dependency judges, guardian ad litem, child protective investigators and supervisors and attorneys involved in the dependency process on the signs and responses of children with head trauma or brain injury. It would have added reporting requirements for law enforcement to share details of interactions with the abuse hotline for dissemination to the child’s CPI or case manager.

PUBLIC SAFETY

Security In Trial Court Facilities (HB 639/SB 762)

This bill stalled in its final of four Senate committees although it made it to the House floor. It would have required sheriffs to coordinate a plan for court security with the Board of County Commissioners and the chief judge of the judicial circuit court.

Public Nuisance (HB 551/SB 688)

The House passed this legislation providing additional activities and properties subject to be enjoined as a public nuisance. However, its Senate companion was not scheduled for its final committee of reference. The bill would have deemed a property a public nuisance if gang-related activity occurs once, rather than two or more times, and if any of the following occurs more than twice within six months: dealing in stolen property, assault and battery, burglary, theft, and robbery by sudden snatching. It extended and strengthened notice requirements to abate the nuisance and limited liability to owners of rental properties provided they rehabilitate the property within 30 days.

TAX & ADMINISTRATION

Ethics (HB 1/SB 1702)

The House unanimously passed an ethics package, however the Senate never heard the bill or its companion. The bill would have prohibited public officers and employees from soliciting an employment or contractual relationship from entities that do business or are regulated by the government that they are employed by. It would have prohibited taxpayer funds to be used for PSAs that include a name of an officer that is seeking re-election during a designated campaign time.

Local Government Fiscal Transparency (HB 15/SB 1350)

The House voted 111-3 to increase fiscal transparency for local governments. However, Its Senate companion was never heard in its first committee. The Florida League of Cities and Florida Association of Counties had concerns as it relates to “debt ratio” requirements. The bill would have required local governments to make certain information easily accessible relating to votes on tax increases, votes on tax supported debt, TRIM notices, 4-yr property tax history and generated revenues.

Gaming

Despite a loss of nearly \$346 million in the budget, the Legislature, Governor and Seminole Tribe were unable to reach an agreement in time for the Legislative Session’s end date to extend the Seminole Compact. The Governor spent a significant time reviewing a plan that would have extended the Compact from 20 to 31 years. While details of the plan were not shared with the public, leaders stated it intended to address a card-room rule that courts ruled violated the Compact in favor of pari-mutuels (a change pari-mutuels adamantly opposed) and sports betting.

TRANSPORTATION

Vehicles for Rent or Lease (HB 1111/SB 1148)

This bill stalled during the committee process. The bill clarified that car rental transactions, no matter how they are conducted, are subject to the rental car surtax. It also allowed for electronic documentation, changes license verification and requires sharing platforms to have an agreement with a public airport in order to provide services there. The bill attempted to create parity between traditional car-rental services and peer-to-peer car sharing programs in requirements for agreements with airports and for daily surcharges on rentals. Drivers license verification language passed after being added to HB 385, but not the rental surcharge language.

WATER AND ENVIRONMENT

Displacement of Private Waste Companies (HB 1169/SB 1572)

The House voted 107-9 on a bill requiring local governments to give more of “runway” when displacing a private waste company. Currently, local governments have a three year waiting period or payout option before the

company can be displaced. The new language would have made the 3 year waiting period mandatory and increased the payout option by two years, negotiating a settlement from 15 to 18 months. Opponents said the bill swung too far on the side of the private business and made it difficult for the local government to decide what is best for residents.

Environmental Regulation (HB 771)

This bill touches on two different areas of environmental law: local government recycling programs and Environmental Resource permits (ERP).

Recycling Programs

The bill would have required contracts entered into between local governments and residential recyclable waste collectors and recycling facilities to address non-hazardous contamination of recyclable material in their contracts.

Environmental Resource Permits

This bill would have prohibited local governments from requiring a person claiming an ERP exemption to provide further verification from the Department of Environmental Protection (EP) that he or she is exempted.

Plastic Straw Ordinances

This bill would have placed a moratorium on local government ordinances regulating plastic straw use with a sunset on July 1, 2024.

Office of Program Policy Analysis and Government Accountability (OPPAGA) was directed to conduct a study of straw ordinances to be completed and submitted to the Legislature by December 1, 2019

This bill was subsequently vetoed by the Governor and included a favorable nod to local governments and the ability of local elected officials to exercise their home rule rights in making policy decisions.

Whether the governor's veto is evidence of a broader policy position is unknown, however, he was particularly strong in his words defending the rights of local government.

LOCAL BILLS

City of West Palm Beach, Palm Beach County (HB 901) by Rep. Matt Willhite

The West Palm Beach Firefighters' pension fund receives tax revenue under the Clayton Act and must meet statutory requirements to maintain its eligibility. This bill increases the minimum benefit accrual factor to the statutory minimum of 2.15%, adjusts the plan's assumed investment rate of return from 8% to 7.5%. Further, this bill revises the claims appeals process to extend board action deadlines, and allows the plan administrator to tape and maintain hearings. Finally, clarifies the adjustment in the Plan's assumed investment rate of return should only apply retroactively to October 1, 2018.

This bill was approved by the Governor on May 23, 2019; Chapter No. 2019-174

West Palm Beach Downtown Development Authority, Palm Beach County (HB 819) by Rep. David Silvers

This bill requested an amendment to the West Palm Beach Downtown Development Authority boundaries to include the commercial portions of CityPlace.

This bill died in the Local, Federal & Veterans Affairs Subcommittee.

